



Justice In Texas

HIV-Positive Man Wins Acquittal In Texas' First Cannabis Medical Necessity Defense -- NORML Legal Committee Member Leads Defense

Amarillo, TX: NORML Legal Committee member Jeff Blackburn won an acquittal for a man charged with possession of marijuana, by successfully raising a medical necessity defense, believed to be the first to be accepted in Texas courts.

Defendant Tim Stevens, 53, had never been in legal trouble until Amarillo police arrested him for possessing less than 4 grams of marijuana. Mr. Stevens is HIV-positive and uses medical marijuana in conjunction with his anti-viral medications.

Defense expert Dr. Steve Jenison, Medical Director of
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Federal Medical Marijuana Bill Introduced by Rep. Ron Paul

Washington, DC: Representative Ron Paul (R-TX) introduced H.R. 5842, the "Medical Marijuana Patient Protection Act," earlier today. This bill would make federal authorities respect states' current laws on medicinal cannabis and end DEA raids on facilities distributing medical marijuana legally under state law.

Representative Paul, whose presidential campaign prominently featured the ending of the drug war as a platform plank, was joined by Reps. Barney Frank (D-MA), Dana Rohrabacher (R-CA), Maurice Hinchey (D-NY), and Sam Farr (D-CA) in co-sponsoring this bill.

"I think marijuana is a helpful medical treatment for the people who have intractable
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Federal Decriminalization Bill Introduced -- Bill Would End Federal Authority to Arrest Adults for Pot Possession

Washington, DC: US Congressman Barney Frank (D-MA) introduced legislation in Congress today to strip the federal government of its authority to arrest responsible adult cannabis consumers. The measure, H.R. 5843, known as an "Act to Remove Federal Penalties for Personal Use of Marijuana by Responsible Adults," is the first federal decriminalization legislation introduced in 24 years.

"It's time for the politicians to catch up with the public on this [issue]," Frank said. "The notion that you lock people up for smoking marijuana is pretty silly."

Frank's pending bill, co-sponsored by presidential
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The Willamette Valley NORML News Report

is an all-volunteer, not-for-profit project to record and broadcast news, announcements and information about cannabis law reform.

The W-V-NORML News Report is produced by the Eugene, OREGON chapter of NORML, the National Organization for the Reform of Marijuana Laws

----- Making contact -----

You can Snail Mail:

The W-V-NORML Newsletter team by writing to -

**P.O. Box 10957
Eugene, OR 97440**

E-mailing:

newsroom@willamettevalleynorml.org

or phoning: **541-517-0957**

Check 'em out on-line! *visit:*

WillametteValleyNORML.org

A Voice for Responsible Marijuana Smokers

Since its founding in 1970, NORML has provided a voice in the public policy debate for those Americans who oppose marijuana prohibition and favor an end to the practice of arresting marijuana smokers. A nonprofit public-interest advocacy group, NORML represents the interests of the tens of millions of Americans who smoke marijuana responsibly. During the 1970s, NORML led the successful efforts to decriminalize minor marijuana offenses in 11 states and significantly lower marijuana penalties in all others.

The oldest and largest marijuana legalization organization in the country, NORML maintains a professional staff in Washington, DC, and a network of volunteer state and local [NORML Chapters](#) across the country. Check 'em out, and find the one nearest you!

The NORML mission is to move public opinion sufficiently to achieve the repeal of marijuana prohibition so that the responsible use of cannabis by adults is no longer subject to penalty.

When marijuana is enjoyed responsibly, subjecting users to harsh criminal and civil penalties provides no public benefit and causes terrible injustices. For reasons of public safety, public health, economics and justice, the prohibition laws should be repealed to the extent that they criminalize responsible marijuana use. **NORML, the National Organization for the Reform of Marijuana Laws – is located at 1600 K Street, NW, Suite 501, Washington, DC 20006-2832. Phone (202) 483-5500, Fax: (202) 483-0057 or visit: www.norml.org**

Today Willamette Valley NORML joins the fight to reform state and federal marijuana laws, whether by voter initiative or through the elected legislatures. W-V-NORML will serve as an informational resource to media on marijuana-related stories, providing a perspective to offset the [anti-marijuana propaganda](#) from the government; lobby state and federal legislators in support of reform legislation; publish a regular [newsletter](#); host an informative web site; and serve as the umbrella group for a regional network of citizen-activists committed to ending marijuana prohibition and legalizing marijuana.

Along with their parent organization, W-V-NORML will sponsor public advertising campaigns to better educate the public about marijuana and alternatives to current marijuana policy; provide legal assistance and support to victims of the current laws; and promote relevant research.

W-V-NORML supports the right of adults to use marijuana responsibly, whether for [medical](#) or [personal](#) purposes. All penalties, both civil and criminal, should be eliminated for responsible use. W-V-NORML also advocates the legalization of [hemp](#) (non-psychoactive marijuana) for industrial use. **To find out more, like how you can help, call, write or visit our website. You'll be glad you did!**

<continued from JUSTICE, page 1 > the Infectious Diseases Bureau for the Department of Health in New Mexico, carried the day with his testimony. Dr. Jenison detailed his success with the New Mexico medical marijuana program in treating severe symptoms, particularly nausea and cyclical vomiting, that plague many HIV / AIDS and cancer patients—for many of whom no effective medicinal alternative exists. "[Jenison]...was a dynamite witness," Blackburn said. "All of this evidence came together and made for a solid defense case -- one strong enough for us to get an instruction to the jury that they should acquit if they had a reasonable doubt about medical necessity."

"We prepared a very extensive presentation about the medical benefits of marijuana," Blackburn continued. "We relied on clearly established scientific studies and approaches, all of which show that there are distinct benefits derived from the use of inhaled marijuana." The jury was out only eleven minutes before reaching a unanimous verdict of "not guilty." County attorney Scott Brumley called the verdict "unfortunate." "I respect the jury's verdict. ... That doesn't mean I agree with it," he said.

Blackburn, who also serves as chief counsel for the Innocence Project of Texas, which seeks to identify and exonerate innocent people who have been mistakenly convicted and imprisoned, believes that this victory can be replicated in other states as well. "Nearly all states have some variant of the old common law necessity defense."

For more information, please contact NORML Legal Director Keith Stroup at 202-483-5500.

<continued from MEDICAL, page 1 > nausea," Paul said in a 2004 House debate regarding a similar measure. "I would like to point out this is not something strange that we are suggesting here. For the first 163 years of our history in this country, the federal government had total hands off, they never interfered with what the states were doing."

Twelve states have approved the use of medical marijuana, beginning with California in 1996

with the passage of Proposition 215. The DEA continues to raid and harass medicinal cannabis dispensaries operating within these states' laws. Presidential candidates Hillary Clinton and Barack Obama have both indicated they would end such raids should they be elected.

Michigan will vote on an initiative to adopt medical cannabis legislation this November. Minnesota and Rhode Island's respective legislatures are also considering pro-reform legislation this year.

For more information, contact NORML Legal Director Keith Stroup at (202) 483-5500. Supporters can write their Representatives in favor of this bill at:
<http://capwiz.com/norml2/issues/alert/?alertid=11280351&type=CO>

<continued from DECRIM, page 1 > candidate Rep. Ron Paul (R-TX), seeks to eliminate all federal penalties prohibiting the personal use and possession of up to 100 grams (3 1/2 ounces) of marijuana. Under this measure, adults who consume cannabis would no longer face arrest, prison, or even the threat of a civil fine. The bill also eliminates all penalties for the not-for-profit transfers of up to one ounce of pot.

NORML Legal Counsel Keith Stroup, who worked closely with Frank's staff to draft this legislation, said, "If passed by Congress, this legislation would legalize the possession, use, and non-profit transfer of marijuana by adults for the first time since 1937." The bill incorporates the basic recommendations of the National Commission on Marijuana and Drug Abuse (also known as the Shafer Commission).

Currently, twelve states have enacted various versions of marijuana decriminalization, eliminating criminal penalties for minor pot violations. According to federal data, passage of these laws has not subsequently led to increased marijuana use.

"This newly introduced legislation seeks to bring the federal government into line with the over 100 million Americans who currently live in a state or municipality that has already decriminalized cannabis possession," NORML Executive Director Allen St. Pierre said today.

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<continued from previous page> "This year, the masses in the U.S. celebrating 4/20 really have something to rejoice, and to now lobby for."

Similar statewide legislation is pending in New Hampshire and Vermont. Additionally, Massachusetts voters will decide on a statewide decriminalization measure this November.

According to a nationwide CNN/Time Magazine poll, more than three-quarters of American adults favor decriminalizing marijuana.

For more information, please contact Keith Stroup, NORML Legal Counsel, at (202) 483-5500. Supporters can write their Representatives in favor of this bill at: <http://capwiz.com/norml2/issues/alert/?alertid=11280301&type=CO>

California Medical Cannabis Bill Headed to Assembly Floor -- Bill Would Forbid Employers From Firing Based on Medi-Pot Status

Sacramento, CA: AB 2279, a measure that would protect Californians from being fired from their jobs for their state-licensed medical cannabis use outside of the workplace was approved by the Assembly Labor Committee in a 6-2 vote on April 17th. It will now head to the Assembly floor for a vote in the near future.

The bill, introduced by Assemblyman Mark Leno (D-San Francisco) seeks to reverse a January California Supreme Court ruling in *Ross v. RagingWire* that held that an employer may fire someone solely on the basis of their medical cannabis use during non-work hours. In that decision, the Court ruled 5-2 against plaintiff Gary Ross.

The measure would not change existing state law prohibiting medical cannabis consumption at the workplace, and would exempt safety-sensitive positions from the new requirements. Assemblymembers Patty Berg (D-Eureka), Loni Hancock (D-Berkeley) and Lori Saldana (D-San Diego) are joining Assemblyman Leno in co-sponsoring this legislation.

"The California Supreme Court decision said that an employer may fire someone solely

because they use medical marijuana outside the workplace," said Leno in a previous statement.

"Long ago, the legislature prohibited patient use of medical cannabis in the workplace or during working hours. AB 2279 is merely an affirmation of the intent of the voters and the legislature that medical marijuana patents need not be unemployed to benefit from their medicine."

AB 2279 is supported by several nationwide organizations, including the Service Employees International Union, the American Federation of State, County, and Municipal Employees, and the National Lawyers Guild.

California was the first state to enact medical cannabis legislation following the passage of Proposition 215 via initiative in 1996, and expanded the program with the passage of SB 420 through the legislature in 2003.

Twelve states now have medical cannabis statutes on their books. Additionally, Michigan will vote on an initiative to adopt medical cannabis legislation this November. Minnesota and Rhode Island's respective legislatures are also considering pro-reform medical marijuana legislation this year.

For more information, contact NORML Legal Director Keith Stroup at (202) 486-5500. Constituents in California can write their Assemblymembers in support of this bill at: <http://capwiz.com/norml2/issues/alert/?alertid=11090156>.

Rhode Island Senate Committee Unanimously Approves Medical Cannabis Measure

Providence, RI: The Rhode Island Senate Committee on Health and Human Services unanimously approved Senate Bill 2693 Wednesday. S 2693, along with its companion bill, House Bill 7888, would regulate the distribution of medical marijuana by allowing a non-profit state-licensed facility to provide medical marijuana to Rhode Island's licensed patients.

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<continued from previous page> Earlier in the week, the committee heard testimony in favor of the bill from state-licensed patient Buddy Coolen of Warwick, who was recently robbed at gunpoint while attempting to obtain the cannabis he is permitted under state law.

Meanwhile, the Rhode Island House Health, Education, and Welfare Committee held a hearing, but took no action on House Bill 7888 on Tuesday.

While the Senate version was approved overwhelmingly in committee, the reception was decidedly cooler on the House side. Chairman Joseph McNamara (D) said that he "didn't see a lot of general support for this legislation at this time," while chief sponsor Rep. Thomas Slater (D) said that as a compromise, the creation of a commission to study the problem was likely, with an emphasis on passing legislation next session based on its recommendations.

Governor Carcieri vetoed the initial legislation to create a medical cannabis statute in Rhode Island, which was overridden by the legislature. The Democrat-dominated legislature has regularly overridden the Governor's anti-medical cannabis veto in the past.

If both the House and the Senate pass different versions of the bills, a conference committee will have to come up with a compromise bill. Given that any bill will likely need the votes to override a veto, it is likely that the final bill would be similar to the House version.

For more information, contact NORML Executive Director Allen St. Pierre at (202) 483-5500.

Minnesota House of Representatives to Consider Medical Marijuana Bill -- Despite Bi-Partisan Support, Governor Indicates He May Veto

Minneapolis, MN: The Minnesota House Ways and Means Committee approved a medical marijuana bill without debate in a 13-4 vote on Wednesday, which will now head to the House floor for debate and vote.

Senate File 345 was passed by the Minnesota Senate last year. As Minnesota has a two-year legislative session, should the House pass this legislation this year, the bill will head to Governor Tim Pawlenty's desk.

If passed, this legislation would create a program to produce cards for qualifying patients through the Minnesota Department of Health that would permit them to possess up to 2.5 ounces of cannabis, and would also provide for the creation of non-profit organizations to produce up to twelve plants per patient.

The measure has enjoyed sponsorship and support from both sides of the aisle. Rep. Chris DeLaForest (R) says of growing Republican support for medicinal cannabis, "To me, this is the ultimate conservative issue. It's about keeping government out of the doctor-patient relationship."

Governor Tim Pawlenty (R) has indicated that he will likely veto any medical cannabis legislation that reaches his desk. In the past, Governor Pawlenty has cited the opposition of law enforcement groups as a primary cause of his opposition to the measure. After Wednesday's vote, Commissioner of Public Safety Michael Campion, a Pawlenty appointee, stated that "[the Governor] hasn't changed his position since last year."

Since the Senate passed this legislation last year, the American College of Physicians, the largest organization of doctors of internal medicine in the country, released a policy paper in support of legal access to medicinal cannabis for seriously ill patients.

Twelve states already have legalized the medical use of marijuana. Additionally, an initiative in Michigan that would enact medical cannabis laws will be on the ballot this November.

For more information, call Allen St. Pierre, NORML Executive Director, at (202) 483-5500. Minnesotan supporters of SF 345 may email their state representative and Governor Pawlenty via:

http://capwiz.com/norml2/issues/alert/?alertid=11219636&type=TA&show_alert=1

Vermont Supreme Court Rules Search Warrant Required for Overflight Surveillance

Montpelier, VT: The Vermont Supreme Court ruled last week that police must first obtain a search warrant before making low level surveillance flights over private property.

The case began after a Forest Service official, believing defendant Stephan Bryant to be "paranoid" about his privacy, suggested to Vermont State Police that they conduct a fly-over to look for marijuana. On Aug. 7, 2003, a state trooper and an Army National Guard pilot flew over the property hovering about 100 feet above it for 15 to 30 minutes, according to

Friday's court opinion. Two plots of marijuana were spotted from the air. Law enforcement then applied for and received a search warrant, and seized about 45 plants.

Ruling that Vermonters' right to privacy extends to the airspace above their homes, the state's highest court threw out a felony marijuana cultivation conviction against Bryant. A 57-year-old contractor, Bryant testified at his 2005 trial that he uses marijuana as an analgesic, to cope with pain he suffers as the result of a construction accident in the 1970s. His property, on a wooded hillside in a remote area of Goshen, is accessible only by a locked gate on a US Forest Service road.

In a 4-1 decision, the justices said the helicopter wasn't high enough when it made its flyover.

"The occupants were law-enforcement officers, trained in the identification of marijuana, who conducted an overflight at illegal altitudes solely for the purpose of discovering evidence of crime within a private enclave into which they were constitutionally forbidden to intrude at ground level without a warrant," the Court wrote in its ruling. "The actions of law enforcement — flying only 100 feet above the ground for up to 30 minutes over a hillside home — were an

unreasonable intrusion of privacy that triggers constitutional protection."

"It doesn't matter if the invasion comes on wheels or on helicopter rotors," said Bryant's lawyer, William Nelson. "Vermonters have a right to expect the government will not be intruding on their privacy, whether it's in their house, in their backyard or on their property."

For more information, contact NORML Legal Director Keith Stroup at 202-483-5500.

NYC Bar Association to Discuss Cannabis Prohibition in New York

New York, NY: The New York City Bar Association will host a lecture entitled 'New York City's Marijuana Arrest Policy: Thirty Years After Decriminalization,' on Wednesday, April 30, at 6:30 PM.

Based principally on the research of Professor Harry Levine, Ph.D of Queens College, and Deborah Small, Esq., head of the non-profit group Breaking the Chains, (along with the longstanding criminal justice research of Bruce D. Johnson, Ph.D) the lecture will review and discuss law enforcement patterns and motivations regarding targeting cannabis consumers and alternative policing policies and practices.

Dr. Levine's and Ms. Small's research has previously been submitted as testimony to the New York Senate. In that testimony, they focused on cannabis law enforcement practices in New York City, and revealed that arrests for marijuana possession had risen from 39,000 arrests between 1987 and 1996 to 362,000 arrests between 1997 and 2006. In the latter period, 196,000 blacks and 108,000 Hispanics were arrested for cannabis possession, while only 52,000 whites were arrested on similar charges, despite the fact that whites have

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Dr. Levine presented this testimony in an address at the 2007 NORML Conference in Los Angeles.

For more information, contact NORML Executive Director Allen St. Pierre at (202) 483-5500. The public and local media are invited and encouraged to attend the lecture at: The Association of the Bar of the City of New York, 42 West 44th Street, New York, NY 10036, at Wednesday, April 30, at 6:30 PM. Dr. Levine's and Ms. Small's research and testimony submitted to the New York Senate is accessible at:

<http://soc.qc.cuny.edu/Staff/levine/Marijuana-Arrests/HGLEvine-graphs-and-testimony-NYState-Assembly-May31-07.pdf>

Argentina Court Rules for Decriminalization of Cannabis Possession

Buenos Aires, Argentina: In a ruling on Wednesday, a federal court in Buenos Aires ruled that the criminalization of the possession of personal amounts of cannabis and other drugs is unconstitutional, according to the Argentinean newspaper *El Financiero*. The case stems from the conviction of two teenagers arrested for possession of marijuana cigarettes and ecstasy at a rave in May of 2007.

The Argentinean Supreme Court still must review the case before it becomes law.

Should the Supreme Court rule in accordance with the lower court, it would pave the way for the striking of the convictions of thousands of Argentinean citizens for minor marijuana possession offenses, which would ultimately result in the suspension of their sentences and their release if still imprisoned.

The law, when drafted, was based on the concept that the arrest of drug consumers

attacked the base of a chain that led to narcotraffickers. However, in its ruling, the court stated that the law had generated "an avalanche of cases targeting consumers without climbing up the ladder of drug trafficking."

The ruling is in accordance with the political views of Argentinean president Cristina Fernandez de Kirchner, who favors decriminalizing the consumption of drugs. Last month at a UN meeting in Vienna on drug laws and enforcement, Argentina's Minister of Justice, Anibal Fernandez, said that the policy of punishing drug consumers was a "total failure."

In contrast, Thomas Shannon, US Assistant Secretary of State for Western Hemisphere Affairs, said that cooperation on fighting drugs is an area of converging interest for the United States and Argentina after meeting with President de Kirchner earlier this month.

For more information, contact NORML Executive Director Allen St. Pierre at (202) 483-5500.

Comedian Doug Benson Offers NORML Supporters Free DVD of New Film Super High Me For 4/20

Los Angeles, CA: Longtime NORML supporter and comedian Doug Benson is offering NORML members the opportunity to host their own screenings for his new comedic documentary *Super High Me*. A parody of the well-known documentary *Super Size Me*, *Super High Me* is an experiment of the effects of medical cannabis on the human body.

As part of his journey, Doug smokes, eats and vaporizes medical marijuana for thirty consecutive days in order to get "Super High." But there is a catch—first Doug must go thirty

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News From *your* local affiliate of the National Organization for the Reform of Marijuana Laws

<continued from SUPER HIGH ME, previous page> days without any marijuana and undertake a number of tests, completing the same tests while medicated and while sober, in an effort to find out what marijuana does and how it really affects people.

The filmmakers are employing a revolutionary 'open access' marketing scheme to promote the film, and as such are pleased to offer free DVDs of the film to NORML chapters, members, and supporters, in order for them to have the opportunity to screen the film this April 20th.

Interested parties should direct their web browser to the film's website at www.superhighmemovie.com and register to host a screening or find an existing screening in your community.

For more information, contact NORML Outreach Coordinator Ron Fisher at (202) 483-5500.

NORML To Hold First Annual 4/20 Moneybomb - Organization's Facebook Supporters Reach 420,000

Washington, DC: NORML is offering supporters the opportunity to join NORML for only \$4.20 this Sunday, April 20th, available exclusively at www.420moneybomb.com.

All supporters who take advantage of this celebratory, one-day-only offer will receive a special NORML sticker, Freedom Card, and a one-year NORML membership, which usually costs \$35.

"4/20 is a special date when cannabis consumers celebrate marijuana and all of its various unique cultural interpretations and

*** NOTE! The Willamette Valley NORML Public meeting * Happens every 4th Sat. of the month and will be at Herbs Toasted Subs, 1210 Willamette St, Eugene * call: 541.517-0957 -or- visit: <http://WillametteValleyNORML.org>**

accoutrements," NORML Outreach Coordinator Ron Fisher said today. "With the introduction of two new federal pro-reform bills, this year's 4/20 celebrations provide citizens nationwide who support cannabis law reform unique opportunities that NORML strongly encourages them to exercise: join NORML for \$4.20 on 4/20, celebrate 4/20 responsibly, and, most importantly, lobby for reforms on 4/21."

NORML's 4/20moneybomb, inspired by Representative Ron Paul's fundraising success in his recent presidential campaign, is only one part of NORML's online outreach strategy, which includes a daily podcast, NORML's blog, and popular pages at Facebook and MySpace.

Started only last September, NORML's Facebook Cause group, the largest group of self-identified cannabis law reform supporters in the world, reached a membership total of 420,000 members Tuesday. "Coincidence? A propitious omen to say the least," commented NORML Executive Director Allen St. Pierre.

For more information, contact NORML Outreach Coordinator Ron Fisher at (202) 483-5500, or direct your browser to www.420moneybomb.com.

*** THE WILLAMETTE VALLEY (W-V) NORML NEWS REPORT > * P.O. Box 10957, EUGENE, OREGON, 97440 * PH: (541) 517-0957 * EMAIL: newsroom@willamettevalleynorml.org * OR VISIT: www.WillametteValleyNORML.org**